

1 District Judge Tana Lin
2
3
4
5
6
7

8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 MOISES MARGARITO GODINEZ,

12 Plaintiff,

v.

13 UR MENDOZA JADDOU, *et al.*,

14 Defendants.

15 No. 2:23-cv-1267-TL

16 STIPULATED MOTION TO HOLD
17 CASE IN ABEYANCE AND
18 [PROPOSED] ORDER

19 Noted for Consideration on:
20 October 11, 2023

21 Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal Rule
22 of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to
23 stay these proceedings until December 7, 2023. Plaintiff brings this litigation pursuant to the
24 Mandamus Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services
25 (“USCIS”) to compel action on his Form I-918, Application for U Nonimmigrant Status, and Form
26 I-765, Application for Employment Authorization. Defendants’ response to the Complaint is
27 currently due on October 23, 2023. For good cause, the parties request that the Court hold this
case in abeyance until December 7, 2023.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706
(1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to
control the disposition of the causes on its docket with economy of time and effort for itself, for

1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
2 P. 1.

3 With additional time, this case may be resolved without the need of further judicial
4 intervention. Although this case had been assigned to an officer for review and adjudication,
5 USCIS had to recently re-assigned Plaintiff’s case to a new officer. This officer is in the process
6 of obtaining the Plaintiff’s A-file, which is being returned by the formerly assigned officer. Once
7 the newly assigned officer has the A-file, USCIS will evaluate Plaintiff’s application for waiting
8 list placement and employment authorization.

9 Accordingly, the parties respectfully request that the instant action be stayed until
10 December 7, 2023. The parties will submit a joint status report on or before December 7, 2023.
11 The parties further request that this Court vacate its Order Regarding Initial Disclosures and Joint
12 Status Report. Dkt. No. 8.

13 Dated: October 11, 2023

14 Respectfully submitted,

15 TESSA M. GORMAN
16 Acting United States Attorney

17 s/Michelle R. Lambert
18 MICHELLE R. LAMBERT, NYS #4666657
19 Assistant United States Attorney
United States Attorney’s Office
1201 Pacific Avenue, Suite 700
20 Tacoma, Washington 98402
Phone: 206-428-3824
Email: michelle.lambert@usdoj.gov
21 Attorneys for Defendants

22 ***I certify that this memorandum contains
23 489 words, in compliance with the Local
24 Civil Rules.***

25 s/Katherine H. Rich
26 KATHERINE H. RICH, WSBA #46881
Rich Immigration PC
1207 N. 200th Street, Suite 214b
27 Shoreline, Washington 98133

1 Phone: 206-853-4073
2 Email: katherine@richimmigration.com
3 *Attorney for Plaintiff*
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

1 **{PROPOSED} ORDER**
2
3
4

The case is held in abeyance until December 7, 2023. The parties shall submit a joint status report on or before December 7, 2023. The Order Regarding Initial Disclosures and Joint Status Report (Dkt. No. 8) is VACATED. IT IS SO ORDERED.

Dated this 12th day of October 2023.

8 
9
10

Tana Lin
United States District Judge